

REMARKS

Claims 1 and 28 are amended. Claims 1 and 28 are pending. In view of the following remarks, Applicant respectfully requests reconsideration of the

5 rejections.

§ 101 Rejections

Claims 1 and 28 stand rejected under 35 U.S.C. § 101 as allegedly being directed to a non-statutory subject matter. Applicant has amended claims 1 and 28
10 to recite “by a computer” in various locations to create ties to a statutory class.

Accordingly, Applicant respectfully requests the rejection be withdrawn.

§ 103 Rejections

Claims 1 and 28 stand rejected under 35 U.S.C. § 103(a) as being
15 unpatentable over C.A. 2,122,116 to Hazy et al. (hereinafter “Hazy”) in view of Official Notice. For the reasons set forth below, Applicant respectfully traverses the Office’s rejections.

Before discussing the Office’s rejections, the following discussion of Applicant’s disclosure as well as Hazy is provided to assist the Office in
20 understanding Applicant’s position respect to the rejections.

Applicant's Disclosure

Aspects of Applicant's disclosure describe a system and method for providing automated investment alerts from multiple data sources. As investment information has become more accessible, novice investors may have no idea what parameters would be important to track for a particular purpose and no way to correlate quantitative information with other information such as news stores. Various embodiments provide ordinary investors with meaningful information extracted from the large volume available for a particular investment. In certain embodiments, an investor enters a stock ticker symbol or similar investment identifier and computer software processes multiple data feeds to extract information relating to the investment. The processed data is compared to "alert rules" or *triggers, each corresponding to a predefined condition specified by financial experts*. Triggers can also be created to indicate membership in a set of stocks to find the "best" stock meeting a certain set of criteria. A truth table is established that identifies triggers that are true for each particular investment. The user need not understand what parameters are being tracked, how frequently they are being tracked, and need not understand how changes to those parameters would constitute a significant event. When the investor selects a particular investment, he or she is shown all of the alerts that are true for that investment.

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The Hazy Reference

Hazy describes a method for alerting users of communication devices. In a typical embodiment, the method permits user to specify events or event sequences of interest within streams of events in financial, sports, and other domains. The method further allows the user to specify what actions are to be taken when the specified events occur. The method permits user-specified actions to be triggered by the occurrence of *user-specified events*. Triggers specify time-based conditions on streams of events. For example, a trigger could be: “when AT&T trades above 50 after the Dow Jones Industrial Average breaks 3600” or “when Wonderhorse becomes the favorite at Santa Anita and the track is fast.” Actions are executed when the trigger is activated (i.e. when the event conditions are satisfied).

The Claims

Claim 1 as amended recites a computer-implemented method comprising [emphasis added]:

- receiving, *by a computer*, a plurality of feeds of data each including information concerning one or more investments;
- parsing, *by the computer*, each of the plurality of feeds of data to extract at least one quantitative data item for each of the one or more investments;
- comparing, *by the computer*, each quantitative data item that was extracted to one or more triggers specified by *an entity other than a user*, each trigger comprising an association between a predefined criterion, specified by an entity other than the user, and one or more of

the quantitative data items that were extracted and when the comparison indicates a match:

- updating a truth table to include the at least one quantitative data item; and
- forwarding, to a computer associated with the user, an alert for the trigger that corresponds to the criterion that matched; and
- causing the computer associated with the user to display the alert, that includes the at least one quantitative data item from the truth table, for ***an investment selected*** by the user on a screen associated with the computer.

In making out the rejection of claim 1, the Office argues that its subject matter is unpatentable over Hazy. Applicant respectfully disagrees. Nonetheless, in the interest of advancing prosecution, claim 1 has been amended. Support for the amendment can be found in the Specification, among other places on pg. 9, lines 14-16. For the reasons set forth below, Applicant respectfully traverses the Office's rejection.

Hazy describes a method for user-specified actions to be triggered by the occurrence of ***user-specified events***. A user sets up a profile composed of triggers and corresponding actions identified with each user's requirements. Hazy states on page 3, lines 5-10 that a registration processor permits a user to construct a trigger prototype from a menu, e.g. "when <ticker symbol> trades <above, below, at> price of <share price>." The user will enter values for the fields in the trigger prototype, i.e. the specific stock symbol, level, and price. Similarly, the user may construct a plurality of automatic action prototypes from a menu, e.g. "then <buy, sell> stock <ticker symbol> at <price>" and/or "then send a graph of <ticker symbol> at <time> intervals."

Hazy neither discloses nor suggests “a computer-implemented method comprising... comparing, by the computer, each quantitative data item that was extracted to one or more triggers specified by *an entity other than a user*, each trigger comprising an association between a predefined criterion, specified by an
5 entity other than the user, and one or more of the quantitative data items that were extracted...”.

The cited reference does not disclose, teach or suggest any such subject matter and, in point of fact, teaches directly away therefrom. For at least this reason, claim 1 is allowable.

10 Further, modifying Hazy to meet the subject matter of this claim, as amended, would undoubtedly change an operating principle because Hazy’s method *requires a user to specify an event*. To this end, any such modification of Hazy would render it inoperative. MPEP 2143.01 VI instructs as follows:

15 If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.

Further, modifying Hazy to meet the subject matter of this claim, as
20 amended, would change the entire purpose of Hazy which is to allow users to enter the described information.

Accordingly, for at least these reasons, claim 1 is allowable.

Claim 28 as amended recites a computer-implemented method comprising
[emphasis added]:

- receiving, **by a computer**, a plurality of feeds of data each feed of data including information associated with a plurality of investments;
- parsing, **by the computer**, each of the plurality of feeds of data to extract quantitative data items for each investment of the plurality of investments;
- comparing, **by the computer**, the quantitative data items with one or more alert rules that each define a condition that is associated with an alert;
- comparing, **by the computer**, each quantitative data item that was extracted to one or more triggers specified by **an entity other than a user**, each of the one or more triggers comprising an association between a predefined criterion, specified by an entity other than the user, and one of the extracted quantitative data items and, when the comparison indicates a match, setting an alert that corresponds to the trigger; and
- forwarding the alert for display on a screen for a computer associated with the user, the alert flagged for presentation as a footnote indicator for an investment selected by the user.

In making out the rejection of claim 28, the Office argues that its subject matter is unpatentable over Hazy. Applicant respectfully disagrees. Nonetheless, in the interest of advancing prosecution, claim 28 has been amended. Support for the amendment can be found in the Specification, among other places on pg. 9, lines 14-16. For the reasons set forth below, Applicant respectfully traverses the Office's rejection.

Hazy describes a method for user-specified actions to be triggered by the occurrence of **user-specified events**. A user sets up a profile composed of triggers and corresponding actions identified with each user's requirements. Hazy states on page 3, lines 5-10 that a registration processor permits a user to construct a trigger prototype from a menu, e.g. "when <ticker symbol> trades <above, below, at> price of <share price>." The user will enter values for the fields in the trigger

prototype, i.e. the specific stock symbol, level, and price. Similarly, the user may construct a plurality of automatic action prototypes from a menu, e.g. “then <buy, sell> stock <ticker symbol> at <price>” and/or “then send a graph of <ticker symbol> at <time> intervals.”

5 Hazy neither discloses nor suggests “a computer-implemented method comprising...comparing, by the computer, each quantitative data item that was extracted to one or more triggers specified by *an entity other than a user*, each of the one or more triggers comprising an association between a predefined criterion, specified by an entity other than the user, and one of the extracted quantitative
10 data items and, when the comparison indicates a match, setting an alert that corresponds to the trigger....” Accordingly, for at least this reason, this claim is allowable.

Further, modifying Hazy to meet the subject matter of this claim, as amended, would undoubtedly change an operating principle because Hazy’s
15 method requires a user to specify an event. To this end, any such modification of Hazy would render it inoperative. MPEP 2143.01 VI instructs as follows:

If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not
20 sufficient to render the claims *prima facie* obvious.

Further, modifying Hazy to meet the subject matter of this claim, as amended, would change the entire purpose of Hazy which is to allow users to enter the described information.

Accordingly, for at least this reason, claim 28 is allowable.

Response to Response to Arguments:

Applicant does not concede the propriety of the rejections, or the Office's
5 comments. Nevertheless, in the interest of expediting prosecution of the subject
application, claims have been amended as indicated above. Applicant reserves its
right to further argue against the Office's comments.

Conclusion

10 All of the claims are in a condition for allowance. Accordingly, Applicant
respectfully requests that the Office issue a Notice of Allowability. If the Office's
next anticipated action is to be anything other than issuance of a Notice of
Allowability, Applicant respectfully requests a telephone call for the purpose of
scheduling an interview.

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Respectfully submitted,

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